

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 2, 6-11, 14, and 17-19 are pending in this application. Claims 17-19 are herein added for examination. Claim 11 was rejected under 35 U.S.C. § 101. Claims 1, 2, 8, 9, 11, and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Application Publication 2004/0047612 to Nagata et al. (herein "Nagata") in view of U.S. patent 5,684,768 to Terasaki et al. (herein "Terasaki"). Claims 6, 7, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nagata in view of Terasaki and further in view of U.S. 6,856,759 to Fukuda et al. (herein "Fukuda"). Those rejections are traversed by the present response as now discussed.

Addressing first the rejection of claim 11 under 35 U.S.C. § 101, claim 11 is herein amended to clarify features recited therein. Claim 11 specifically clarifies apparatuses performing the different method operations, and thereby Applicants submit amended claim 11 is clearly tied to another statutory category of an apparatus. Thereby, the rejection to claim 11 under 35 U.S.C. § 101 is traversed by the present response.

Addressing now the above-noted prior art rejections, the claims as currently written are believed to positively recite features neither taught nor suggested by the applied art.

Independent claim 1 is herein amended to clarify features recited therein, and now recites:

a first analyzer configured to extract, from said transport packets, a transport packet including data that may provide a reproduction start position;

an entry point map generator configured to generate an entry point map for identifying said transport packet including said data[.]

The other independent claims 11 and 14 are also amended to recite similar features as in amended independent claim 1 noted above.

The above-noted features clarified in independent claims 1, 11, and 14 are believed to be fully supported by the original specification. With respect to the “first analyzer”, Applicants draw attention to the stream analyzing block 11 shown for example in Figure 1 in the present specification, and see also the specification at page 15, line 8 et seq. With respect to the features of the “entry point map” generation, Applicants draw attention to the stream database creating block 16 in Figure 1, and also to the specification at page 23, last line et seq. The present response also adds new dependent claim 17 for examination, which is believed to be clear from the original specification, see for example page 24, line 10 et seq.

Applicants submit the features clarified in the independent claims 1, 11, and 14, and thereby the claims dependent therefrom, are neither taught nor suggested by the applied art.

According to features in the claims as written an entry point map can be generated that identifies a transport packet including data providing a reproduction start position.

The primary reference to Nagata was cited to disclose a transport stream apparatus, and Applicants submit Nagata fails to disclose or suggest the claimed “first analyzer” or “entry point map generator” as now recited in independent claim 1, and similarly recited independent claims 11 and 14. Further, the newly cited secondary reference to Terasaki is cited to disclose generating program sequence information. However, Applicants submit Terasaki also fails to disclose or suggest the claimed “first analyzer” and “entry point map generator” as recited in an independent claim and the similar features in independent claims 11 and 14.

Moreover, the further cited reference to Fukuda was only cited for a proposition that coding attributes can include a video frame frequency, which is unrelated to the claimed “first analyzer” and “entry point map generator”. Applicants submit Fukuda also does not cure the deficiencies of Nagata and Terasaki with respect to such claim features.

New independent claims 18 and 19 are also submitted for examination, and are also believed to distinguish over the applied art. New independent claims 18 and 19 are directed to a transport stream recording apparatus and reproducing method. Those claims also recite reproducing an "entry point map from said recording medium", and controlling a processor on the basis of the entry point map. As discussed above the applied art does not disclose or suggest the use of such an entry point map, and thus new independent claims 18 and 19 are also believed to distinguish over the applied art.

In view of the present response applicants respectfully submit the claims as currently written positively recite features neither taught nor suggested by the applied art, and thus are allowable over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

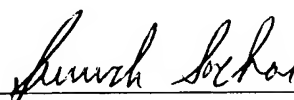
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Surinder Sachar
Registration No. 34,423